

Notice of Allowability

Application No.

10/565,288

Examiner

Tai T. Nguyen

Applicant(s)

KOCHIS, GARY

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed on 01/20/06.
2. ☒ The allowed claim(s) is/are 1-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 01/20/06 & 10/06/06 *TN*
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Tai T. Nguyen
Tai T. Nguyen
Primary Examiner
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DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Nauman on October 5, 2006.

The application has been amended as follows:

In amendments to the specification filed on January 20, 2006 delete "This application claims the benefit of PCT Patent Application Ser. No. PCT/US03/14483, filed on May 6, 2003, now U.S. Serial No. 10/513,839, filed November 05, 2004, the disclosure of which is incorporated herein by reference. Moreover, this application is a continuation-in-part of PCT Patent Application Ser. No. PCT/US03/14483, now U.S. Serial No. 10/513,839, filed November 05, 2004. PCT Patent Application Ser. No. PCT/US03/14483 claims the benefit of U.S. Provisional Patent Application Ser. No. 60/378,283, filed on May 7, 2002." after "BACKGROUND OF THE INVENTION", and insert ----This application is a 371 of PCT/US04/14025 filed on May 06, 2004 which claims benefit of 60/378,283 filed on May 07, 2004.----.

Allowable Subject Matter

1. Claims 1-40 are allowed.
2. The following is an examiner's statement of reasons for allowance: The prior art of record does not teach or suggest, in the claimed combination, a system for tracking a movable asset having a tracker tag attached therein, wherein the tag receives position data and time data from multiple global positioning system the transmits combined position data and time data via a data communication network, wherein the tag is also adapted to selectively retrieve a message with command and control information via the data communication network; and a tracking information server for command and control the tag, wherein the tracking information server being adapted to selectively send the message with command and control information to the tracker tag via a messaging system, wherein the message is addressed to the tracker tag, wherein the messaging system is accessible to the tracker tag via the data communication network, wherein the tracking information server is adapted to receive the combined position data and time data from the tracker tag via the data communication network, wherein the tracking information server being adapted to selectively receive command and control information from a monitoring device via a tracking information network, wherein the tracking information server is adapted to selectively process the combined position data and time data based on programmed instructions and command and control information to produce the tracking information, wherein the tracking information is associated with the asset and selectively accessible to the monitoring device via the tracking information network.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Elliot (US 6,243,039).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (571) 272-2961. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'T. Nguyen', with a long horizontal flourish extending to the right.

Tai T. Nguyen
Primary Examiner
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September 9, 2006